

ESTTA Tracking number: **ESTTA573967**

Filing date: **12/02/2013**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding.	91193067
Applicant	Plaintiff Heidelberg University
Other Party	Defendant Heidelberg University
Have the parties held their discovery conference as required under Trademark Rules 2.120(a)(1) and (a)(2)?	Yes

## Motion for an Extension of Answer or Discovery or Trial Periods With Consent

The Close of Discovery is currently set to close on 01/06/2014. Heidelberg University requests that such date be extended for 90 days, or until 04/06/2014, and that all subsequent dates be reset accordingly.

Time to Answer :	CLOSED
Deadline for Discovery Conference :	CLOSED
Discovery Opens :	CLOSED
Initial Disclosures Due :	CLOSED
Expert Disclosure Due :	03/07/2014
Discovery Closes :	04/06/2014
Plaintiff's Pretrial Disclosures :	05/21/2014
Plaintiff's 30-day Trial Period Ends :	07/05/2014
Defendant's Pretrial Disclosures :	07/20/2014
Defendant's 30-day Trial Period Ends :	09/03/2014
Plaintiff's Rebuttal Disclosures :	09/18/2014
Plaintiff's 15-day Rebuttal Period Ends :	10/18/2014

The grounds for this request are as follows:

- *Parties are unable to complete discovery/testimony during assigned period*
- *Parties are engaged in settlement discussions*
- *Progress Report: The parties are actively engaged in settlement negotiations. In this regard, settlement proposals have been exchanged between the parties and such proposals are being discussed. Further, both parties have sent discovery requests, including interrogatories, requests for production, and requests for admission. Both parties have responded to these discovery requests. If settlement is not reached, additional discovery will be required. The parties are working diligently to settle this matter and complete the discovery process within the schedule as set forth above.*

Heidelberg University has secured the express consent of all other parties to this proceeding for the extension and resetting of dates requested herein.

Heidelberg University has provided an e-mail address herewith for itself and for the opposing party so that

any order on this motion may be issued electronically by the Board.

### **Certificate of Service**

The undersigned hereby certifies that a copy of this paper has been served upon all parties, at their address record by Facsimile or email (by agreement only) on this date.

Respectfully submitted,

/Gregg W. Emch/

Gregg W. Emch

emch@mstfirm.com

Lara.Holzman@alston.com

12/02/2013